

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN 23 2004

at 11 o'clock and 25 min. 9 M
WALTER A. Y. H. CHINN, CLERK

DORON WEINBERG CA 46131
WEINBERG & WILDER
523 Octavia Street
San Francisco, CA 94102
Telephone: (415) 431-3472

JOHN FRANCIS PERKIN 1673
BRANDEE J. FARIA 6970
Davies Pacific Center
Suite 2000
841 Bishop Street
Honolulu, HI 96813
Telephone: (808) 523-2300

ERIC A. SEITZ
ATTORNEY AT LAW
A LAW CORPORATION

ERIC A. SEITZ 1412
LAWRENCE I. KAWASAKI 5820
820 Mililani Street
Suite 714
Honolulu, HI 96813
Telephone: (808) 533-7434

Attorneys for Defendant
Gary W. Rodrigues

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 01-00078 DAE
)	
Plaintiff,)	STIPULATION RE GARNISHMENT
)	OF FUNDS AND ORDER
vs.)	
)	
GARY W. RODRIGUES, et al,)	
)	
Defendants.)	

STIPULATION RE GARNISHMENT OF FUNDS

IT IS HEREBY STIPULATED AND AGREED, by and between

EXHIBIT 1

the parties hereto, through their respective undersigned attorneys, that the First Hawaiian Bank, as depository for pension funds for Defendant Gary W. Rodrigues, shall be instructed immediately upon receipt of this Stipulation and Order to establish two separate IRA accounts in the name of Gary W. Rodrigues and deposit the sum of \$428,103.63 into one of the two accounts to be held thereafter by First Hawaiian Bank and be dispersed, with accrued interest thereupon, at such time as the Court shall order, only to the Clerk of the United States District Court and thereupon applied to the fines and restitution ordered herein.

IT IS FURTHER STIPULATED AND AGREED that any portion of the pension funds referred to above shall not be dispersed or paid to Defendant Rodrigues or anyone else without the Court's prior written direction.

IT IS FURTHER STIPULATED AND AGREED that any other pension accounts or funds in which Defendant Rodrigues' may have any interest, in excess of \$428, 103.63, shall not be and are not subject to garnishment by the government in this matter and may be dispersed as Mr. Rodrigues shall direct.

IT IS FURTHER STIPULATED AND AGREED that in the event Defendant Rodrigues is able to satisfy all or some portions of the fines and restitution ordered herein from other sources, equivalent amounts of the pension funds held pursuant to this Stipulation and Order may become subject to release to him as the Court may allow.

IT IS FURTHER STIPULATED AND AGREED that all funds previously garnished by the government herein shall be released and returned to Defendant Rodrigues except for the amount of \$10,100 as and for special assessments which shall be deducted and paid therefrom.

DATED: Honolulu, Hawaii, ^{June}~~May~~ ____, 2004.

23.907.22



DORON WEINBERG
JOHN FRANCIS PERKIN
BRANDEE J. FARIA
• ERIC A. SEITZ
LAWRENCE I. KAWASAKI

Attorneys for Defendant
Gary W. Rodrigues



FLORENCE T. NAKAKUNI
Assistant U.S. Attorney

Attorney for Plaintiff
United States of America

ACCEPTED AND APPROVED:



FIRST HAWAIIAN BANK

UNITED STATES OF AMERICA VS. GARY W.
RODRIGUES, ET AL; CR. NO. 01-00078 DAE;
STIPULATION RE GARNISHMENT OF FUNDS AND
ORDER

PAGE THREE

APPROVED AND SO ORDERED:

for *James O'Donoghue*
CHIEF UNITED STATES DISTRICT JUDGE
David Alan Esra

UNITED STATES OF AMERICA VS. GARY W.
RODRIGUES, ET AL; CR. NO. 01-00078 DAE;
STIPULATION RE GARNISHMENT OF FUNDS AND
ORDER

PAGE FOUR

CASE NUMBER: CR 01-78-01
 PAYEE: TUS

REST: \$378,103.63
 FINE: \$50,000.00

USA V GARY WAYNE RODRIGUES
 CASE DATE: 10/28/03
 RESTITUTION: 378,103.63
 FINE AMOUNT: 60,100.00

PAGE 1

NOTE: SA: \$10,100.00

DATE	DESCRIPTION	REC/VCH	FUND #	RECEIPT	DISBURSED	BALANCE
01/16/04	GARY WAYNE RODRIGUES	0402/	504100	10,100.00		50,000.00
				FINE BALANCE:		50,000.00
06/23/04	GARY WAYNE RODRIGUES	0402/	685502	23,907.22		354,196.41
03/20/08	GARY W RODRIGUES	2984/	685502	25.00		
06/16/08	GARY RODRIGUES	3981/	685502	25.00		
				RESTITUTION BALANCE:		354,196.41
				REGISTRY BALANCE:		0.00